

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JUAN ORTEGA,

Plaintiff,

-against-

KYX LLC,

Defendant.  
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21-CV-10288 (VSB)

**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on December 2, 2021. (Doc. 1). Plaintiff returned a summons indicating that Defendant was served on December 17, 2021. (Doc. 5.) The deadline for Defendant to respond to Plaintiff's complaint was January 7, 2022. (*See id.*) Defendant never responded to the complaint or appeared in the action. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than January 28, 2022. If Plaintiff fails to do so or otherwise demonstrates that he does not intend to prosecute, I will dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: January 13, 2022  
New York, New York

  
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VERNON S. BRODERICK  
United States District Judge